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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,312	10/27/2000	Edward I. Comer	42617/214105 (03742-0230)	6256
7590 03/29/2004			EXAMINER	
ROBERT T. NEUFELD KING & SPALDING LLP 191 PEACHTREE STREET, 45TH FLOOR ATLANTA, GA 30303-1763			FERGUSON, KEITH	
			ART UNIT	PAPER NUMBER
			2683	12
DATE MAILED: 03/29/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/699,312

Applicant(s)

COMER ET AL.

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-19 and 21-27 is/are allowed.
- 6) ☒ Claim(s) 1-13 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-13 and 20 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins et al. in view of Srinivasan, newly recited reference.

Regarding claims 1,7,9 and 20, Collins et al. discloses a system (fig. 2a) for interconnecting a plurality of data communication devices (fig. 2a numbers 210 and 280), the system comprising: a first data communication path for receiving a transmission from a first data communication device (col. 5 lines 29-41); an arbitrator (internet gateway) (second communication device) operative to automatically determine, from the transmission (SMS), an identity of a second data communication device (internet terminal) (third communication device) determine from the identity of the second data communication device (col. 5 lines 43-47), a selected one of a plurality of data formats that is expected by the second data communication device (col. 5 lines

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44-45), and convert the transmission into the selected data format (e-mail) determined from the identity of the second data communications device (col. 5 lines 44-65); and a second data communication path for transmitting the transmission converted by the arbitrator to the second data communication device (col. 6 lines 8-11). Collins et al. differs from claims 1,9 and 20 of the present invention in that it does not explicit disclose a selected data format from a group of at least three data formants, the selected data format being expected by the second device. Srinivasan teaches a system (fig. 1) for interconnecting a plurality of data communication devices (fig. 1 numbers 12 and 26) where a selected data format from a group of at least three data formants (i.e. e-mail, page, facsimile, text, etc.) (col. 3 lines 27 through col. 4 line 8), the selected data format being expected by the second device (fig. 1 number 26 and col. 3 lines 27 through col. 4 line 8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Collins et al. system with a selected data format from a group of at least three data formants, the selected data format being expected by the second device in order for the internet gateway sever to provide the internet station the flexibility of receiving different types of mobile communication services and data communication services through the internet, as taught by Srinivasan.

Regarding claims 2-5,10-12, Collins et al. discloses each of the plurality of data communication devices has an identifying characteristic (col. 5 lines 44-47), and wherein the arbitrator is further operative to: maintain a database (lookup table) that stores the identifying characteristics of each of the plurality of data communication devices (col. 5 lines 45-67); a method of transport (col. 5 line 51 through col. 6 line 10); retrieve the identifying characteristic of the first data communication device from the transmission received (col. 5 lines 45-53); and search the database with the identifying characteristic of the first data communication device to determine the identity of the second data communication device (col. 5 lines 45-67).

Regarding claims 6 and 13, Collins et al. discloses a wireless device (fig. 2a number 210), and wherein at least one of the first and second data communication paths is a data communication

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path for communicating with the wireless device (fig. 2a path between numbers 230, 240, 280 and description).

Regarding claim 8, Collins et al. discloses the data format is selected from global system for mobile telecommunications (col. 4 lines 24-29).

### ***Allowable Subject Matter***

1. Claims 14-19 and 21-27 are allowed.

2. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 14, the prior art of record fails to teach or suggest, alone or in combination "using the first mobile MIN to identify the central data communication device and a data format expected by the central data communication device; converting the first transmission so that it is compatible with the data format expected by the central data communication device; and transmitting the converted first transmission to the central data communication device".

Regarding claim 21, the prior art of record fails to teach or suggest, alone or in combination a method for interconnecting a central data communication device and a plurality of remote data communication devices, wherein the remote data communication devices are associated with a plurality of wireless access methods, comprising: receiving a converted first transmission from an arbitrator wherein the arbitrator created the converted first transmission from an original first transmission by receiving the original first transmission from a first remote data communication device associated with a first wireless access method; retrieving a first mobile identification number (MIN) for the first remote data communication device from the original first transmission; **using the first MIN to identify the central data communication device and a data format expected by the central data communication device; and converting the original first transmission so that it is compatible with the data format expected by the central data communication device.**

Regarding claim 25, the prior art of record fails to teach or suggest, alone or in combination a system for interconnecting a plurality of data communication devices, the system comprising: a first data communication path for receiving a transmission from a first data communication device; an arbitrator operative to

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automatically: retrieve a first mobile identification number (MIN) for the first remote data communication device; **use the first MIN to identify a second data communication device and a data format expected by the second data communication device;** convert the transmission into the data format expected by the second data communication device; and a second data communication path for transmitting the transmission converted by the arbitrator to the second data communication device.

### *Conclusion*

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson  
Art Unit 2683  
March 19, 2004

*KF*

  
**WILLIAM TROST**  
**SUPERVISORY PATENT EXAMINER**  
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